

REMARKS

This Response is with reference to the Final Office Action dated November 21, 2007 ("FOA"). In the Final Office Action, claims 30-38 were rejected under 35 U.S.C. §103. Claims 30-38 are believed allowable, with claim 30 being an independent claim.

In response, the applicants respectfully submit:

1. reliance on Barnes & Noble to establish a publication date for Riordan is improper; and
2. the cited references do not disclose all claim limitations.

1. RELIANCE ON BARNES & NOBLE TO ESTABLISH A PUBLICATION DATE FOR RIORDAN IS IMPROPER

The Final Office Action dated November 21, 2007 rejected claims 30-38 under 35 U.S.C. §103 as allegedly unpatentable over U.S. Patent No. 6,834,350 ("Boroughs") in view of Riordan and Dominique Alessandri, "Target Naming and Service Apoptosis", ISSN 0302-9743 (October 27, 2000) ("Riordan").

The applicants, in arguments filed September 24, 2007, argued that the publication date of Riordan is listed as October 2000 and is therefore not available as prior art under 35 U.S.C. §103.

Nevertheless, the Final Office Action relies on a Barnes & Noble.com printout
<<http://search.barnesandnoble.com/booksearch/isbnInquiry.asp?z=y&EAN=9783540410850&itm=1>> ("Barnes & Noble") to establish a publication date for Riordan of January 2000. FOA, pp. 5.

The Applicants respectfully submit that the publication date found in Barnes & Noble cannot be correct. The deadline for submitting full papers for the RAID 2000 Third International Symposium on Recent Advances in Intrusion Detection was March 31st, 2000. See <http://www.raid-symposium.org/raid2000/cfp2000.html>. Thus, the Examiner's reliance on Barnes & Noble to establish a publication date for Riordan is improper.

2. THE CITED REFERENCES DO NOT DISCLOSE ALL CLAIM LIMITATIONS

To establish a *prima facie* case of obviousness under 35 USC §103, the prior art references must teach or suggest all the claim limitations. See MPEP 2143 et seq.

Claim 1 recites, in part, "an activation token identifying system characteristics and specifying a threat level." As the Examiner correctly points out, Boroughs does not disclose including a threat level within an activation token. FOA, pp. 3. Furthermore, as discussed above, Riordan is not available as prior art under 35 U.S.C. §103. Therefore, the Applicants respectfully submit that subject matter of claim 1 is not described or suggested by the prior art of record. For at least this reason, claim 1 is believed allowable over the art of record. Indication of such allowance for claim 1 is earnestly solicited by the Applicants.

Claims 31-38 are dependent on and further limit claim 30. Since claim 30 is believed allowable, claims 31-38 are also believed allowable for at least the same reasons as claim 30.

CONCLUSION

In view of the forgoing remarks, it is respectfully submitted that this case is now in condition for allowance and such action is respectfully requested. If any points remain at issue that the Examiner feels could best be resolved by a telephone interview, the Examiner is urged to contact the attorney below.

No fee is believed due with this Amendment, however, should such a fee be required please charge Deposit Account 50-0510 the required fee. Should any extensions of time be required, please consider this a petition thereof and charge Deposit Account 50-0510 the required fee.

Dated: January 10, 2008

Respectfully submitted,

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